

**Applicant: Falone et al.**  
**Application No.: 09/978,130**

### **IN THE CLAIMS**

Please amend claims 34, 35, and 41-47, without prejudice or disclaimer. A complete listing of the claims of this application follows.

Claims 1-33 (Cancelled).

Claim 34 (Currently Amended): A shoe insert formed from a reinforced thermoset elastomer material that regulates and dissipates vibration, the shoe insert comprising:

an insert body having a generally elongated shape with an outer perimeter configured to substantially conform to a sole of a shoe so that the insert body extends along an inner surface of the shoe from a location proximate to a heel of the shoe to a toe of the shoe, the insert body being generally planar and formed by the reinforced thermoset elastomer material that regulates and dissipates vibration, the reinforced thermoset elastomer material comprising:

first and second silicone thermoset elastomer layers ~~are each~~  
~~generally free of voids therein; and~~

a reinforcement layer disposed between and generally  
separating the first and second elastomer layers, the reinforcement  
layer consisting of a single layer of aramid material, the reinforcement

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layer being generally coextensive with the first and second silicone thermoset elastomer layers such that the reinforcement layer extends generally throughout the entire area of the insert body as bounded by the perimeter of the insert body.

Claim 35 (Previously Presented): The shoe insert of claim 34, wherein the ~~first elastomer layer has a Shore A Durometer of between approximately five (5) and approximately twenty (20) and the second elastomer layer has a Shore A Durometer of between approximately thirty (30) and approximately seventy (70)~~ single layer of aramid material of the reinforcement layer prevents elongation of the shoe insert during use.

Claim 36 (Previously Presented): The shoe insert of claim 34, wherein the aramid material is a woven sheet.

Claim 37 (Previously Presented): The shoe insert of claim 36, wherein the woven sheet generally separates the first and second elastomer layers causing the material to have three generally distinct and separate layers.

Claim 38 (Previously Presented): The shoe insert of claim 34, wherein the aramid material is formed by a plurality of individual strips of aramid material.

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Claim 39 (Previously Presented): The shoe insert of claim 38, wherein the individual strips are general parallel to each other.

Claim 40 (Previously Presented): The shoe insert of claim 39, wherein at least some of the individual strips have different sizes.

Claim 41 (Currently Amended): A shoe insert formed from composite material that regulates vibration, the composite material having three generally independent and separate layers, the shoe insert comprising:

an insert body having a generally elongated shape with an outer perimeter configured to substantially conform to a sole of a shoe so that the insert body extends along an inner surface of the shoe from a location proximate to a heel of the shoe to a toe of the shoe, the insert body being generally planar and formed by the composite material that regulates and dissipates vibration, the composite material comprising:

first and second silicone thermoset elastomer layers ~~each being~~  
~~substantially free of voids; and~~

a reinforcement layer disposed between ~~, coextensive with,~~ and  
generally separating the first and second thermoset elastomer layers,  
the reinforcement layer consisting of a single layer of fiberglass

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~~material formed by a plurality of individual strips~~ the reinforcement layer being coextensive with the first and second silicone thermoset elastomer layers such that the reinforcement layer extends generally throughout the entire area of the insert body as bounded by the outer perimeter of the insert body.

Claim 42 (Currently Amended): The shoe insert of claim 41, wherein the single layer of fiberglass material is formed by individual strips that are general  
generally parallel to each other.

Claim 43 (Currently Amended): The shoe insert of claim ~~[[40]]~~ 42, wherein at least some of the individual strips have different sizes.

Claim 44 (Currently Amended): The shoe insert of claim ~~[[40]]~~ 41, wherein the ~~first elastomer layer has a Shore A Durometer of between approximately five (5) and approximately twenty (20) and the second elastomer layer has a Shore A Durometer of between approximately thirty (30) and approximately seventy (70)~~  
single layer of fiberglass of the reinforcement layer substantially prevents elongation of the shoe insert during use.

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Claim 45 (Currently Amended): The shoe insert of claim [[40]] 41, wherein the ~~[[eleth]]~~ reinforcement layer generally separates the first and second elastomer layers causing the material to have three generally distinct and separate layers.

Claim 46 (Currently Amended): A shoe insert formed from a reinforced thermoset elastomer material that regulates and dissipates vibration, the shoe insert comprising:

an insert body having a generally elongated shape with an outer perimeter configured to substantially conform to a sole of a shoe so that the insert body extends along an inner surface of the shoe from a location proximate to a heel of the shoe to a toe of the shoe, the insert body being generally planar and formed by the reinforced thermoset elastomer material that regulates and dissipates vibration, the reinforced thermoset elastomer material comprising:

first and second silicone thermoset elastomer layers, the first and second silicone thermoset elastomer layers ~~being generally free of voids therein~~; and

a reinforcement layer disposed between and generally separating the first and second elastomer layers, the reinforcement layer consisting of a single layer of high tensile fibrous material, the reinforcement layer being generally coextensive with the first and second silicone materials such that the reinforcement layer extends

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generally throughout the entire area of the insert body as bounded by the outer perimeter of the insert body.

Claim 47 (Currently Amended): The shoe insert of claim 46, wherein the first elastomer layer has a Shore A Durometer of between approximately five (5) and approximately twenty (20) and the second elastomer layer has a Shore A Durometer of between approximately thirty (30) and approximately seventy (70) high tensile fibrous material of the reinforcement layer substantially prevents elongation of the shoe insert during use.

Claim 48 (Previously Presented): The shoe insert of claim 46, wherein the high tensile fibrous material is a woven sheet.

Claim 49 (Previously Presented): The shoe insert of claim 48, wherein the woven sheet generally separates the first and second elastomer layers causing the material to have three generally distinct and separate layers.

Claim 50 (Previously Presented): The shoe insert of claim 46, the reinforcement layer consisting of the high tensile fibrous material formed by a plurality of individual strips.

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**Claim 51 (Previously Presented):** The shoe insert of claim 50, wherein the individual strips are general parallel to each other.

**Claim 52 (Previously Presented):** The shoe insert of claim 51, wherein at least some of the individual strips have different sizes.